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Dated: January 6, 2004

Signature: Lisa deCordova
(Lisa deCordova)Docket No.: 58569/P001US/10007125
(PATENT)#48
80
1/7/04**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:
Rodney L. Dockery et al.

Application No.: 08/813,852

Appeal No.: 2003-2005

Filed: March 7, 1997

Art Unit: 3627

For: **SYSTEM AND METHOD FOR PROMOTING
STORES AND PRODUCTS**

Examiner: F. J. Bartuska

Attention: Board of Patent Appeals and Interferences
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

JAN - 6 2004
U.S. PATENT
APPEALS &
INTERFERENCES

Dear Sir:

REQUEST FOR RESCHEDULING ORAL HEARING

In response to the Notice of Hearing mailed December 19, 2003, pursuant to M.P.E.P. § 2109, and in accordance with a phone conversation between the undersigned and Craig Feinberg at the Board of Patent Appeals and Interferences, Appellant requests that the oral hearing in the above-identified appeal currently set for March 17, 2004 at 1:00 p.m. be rescheduled. The undersigned Appellant's attorney previously made arrangements to be on vacation from March 12, 2004 through March 21, 2004 and has purchased non-refundable tickets in anticipation of this vacation. Accordingly, the undersigned Appellant's attorney will not be available to attend the hearing set for March 17, 2004. Because the undersigned Appellant's attorney will be out of the office during the aforementioned period for vacation, proper preparation for the hearing is expected to be very difficult, thereby rendering it impractical to attend the hearing by phone. The undersigned Appellant's attorney is the attorney most familiar with the issues on appeal and believes himself to be the attorney best able to present the issues to the Board succinctly. Accordingly, it is not believed that another attorney from the undersigned Appellant's attorney's office can present the appeal.

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For the reasons set forth above, Appellant respectfully requests that the oral hearing be rescheduled. Appellant further requests, if the hearing is postponed, that the new hearing date be set no earlier than March 24, 2004 to allow Appellant's attorney sufficient time to properly prepare upon return from vacation.

Applicant believes no fee is due with this request. However, if a fee is due, please charge our Deposit Account No. 06-2380, under Order No. 58569/P001US/10007125 from which the undersigned is authorized to draw.

Dated: January 6, 2004

Respectfully submitted,

By 

R. Ross Viguet

Registration No.: 42,203

FULBRIGHT & JAWORSKI L.L.P.

2200 Ross Avenue, Suite 2800

Dallas, Texas 75201-2784

(214) 855-8000

(214) 855-8200 (Fax)

Attorney for Applicant

PTO/SB/97 (12-97)

Approved for use through 9/30/00. OMB 0651-0031

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Fax Transmittal (1 page)
Request for Rescheduling Oral Hearing (2 page); and
Certificate of Transmission under 37 CFR 1.8 (1 page).

FAX TRANSMISSION**DATE:** January 6, 2004**PTO IDENTIFIER:** Application Number 08/813,852

Patent Number

Inventor: Rodney L. Dockery, et al.**MESSAGE TO:** Craig Feinberg**FAX NUMBER:** (703) 308-6199**FROM:** FULBRIGHT & JAWORSKI L.L.P.

R. Ross Viguet

PHONE: (214) 855-8185**Attorney Dkt. #:** 58569/P001US/10007125**PAGES (Including Cover Sheet):** 4**CONTENTS:** Transmittal (1 page)
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FULBRIGHT & JAWORSKI L.L.P.**R. Ross Viguet**

2200 Ross Avenue, Suite 2800, Dallas, Texas 75201-2784

Telephone: (214) 855-8000 Facsimile: (214) 855-8200